

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CAPITOL SPECIALTY INSURANCE
CORPORATION,

Plaintiff,

v.

Case No: 1:12-cv-01299-MCA-LAM

SOUTHWEST CLUBS, INC; 6001, INC,
DBA TD'S NORTH; NC PROPERTIES LLC;
HTR LLC; PRISCILLA THREADGILL, Individually
and as Personal Representative of the Wrongful Death
Estate of JOSEPH THREADGILL;
DAVID THREADGILL and DANIELLE THREADGILL,

Defendants,

and

SOUTHWEST CLUBS, INC; 6001, INC,
DBA TD'S NORTH; NC PROPERTY LLC;
HTR LLC,

Counterclaimants,

v.

CAPITOL SPECIALTY INSURANCE
CORPORATION,

Counter-defendant.

ORDER GRANTING MOTION TO STAY DISCOVERY DEADLINES

THIS MATTER is before the Court on Defendants/Counterclaimants Southwest Clubs, Inc.'s and 6001, Inc., dba TD's North's ("TD's North"), NC Property LLC's, and HTR LLC's (collectively, the "Club Defendants"), and Plaintiff/Counter-Defendant Capitol Specialty Insurance Corporation's ("Capitol") ***Motion to Suspend Outstanding Deadlines and Memorandum in Support*** (Doc. 107), filed October 15, 2014. The motion asks the Court to stay certain discovery deadlines pending the Court's resolution of the motion to stay this case

(*Doc. 101*). *See* [*Doc. 107* at 1-2]. On October 15, 2014, the Court ordered Priscilla Threadgill, Joseph Threadgill, David Threadgill, and Danielle Threadgill (collectively, the “Threadgill Defendants”) to file an expedited response stating the reasons for their opposition to the motion to stay these discovery deadlines pending resolution of the motion to stay the case. [*Doc. 109*]. On October 16, 2014, the Threadgill Defendants filed their response to the motion to stay discovery deadlines, stating that there is no legal basis to stay the case. [*Doc. 110* at 2]. The Threadgill Defendants’ response addresses the issue of staying the entire case, which is currently being briefed, and does not address why the Threadgill Defendants oppose staying the discovery deadlines pending resolution of the motion to stay the case, other than to state that there is no legal basis to delay the case further. Because it is unclear at this point whether this case will proceed or will be stayed pending resolution of the underlying state case, the Court finds good reason to stay the discovery deadlines set forth in Document 107. *See* [*Doc. 107* at 2]. If the presiding judge denies the motion to stay the case [*Doc. 101*], the undersigned will set a scheduling conference and re-set those discovery deadlines stayed pursuant to this Order.

IT IS THEREFORE ORDERED that the *Motion to Suspend Outstanding Deadlines and Memorandum in Support* (*Doc. 107*) is **GRANTED**, and the discovery deadlines stated on page 2 of that motion are stayed pending resolution of the motion to stay the case [*Doc. 101*].

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE